

**BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH**  
**MINUTES OF PUBLIC MEETING**  
**COMMISSION CHAMBERS, ROOM 1400**  
**OF THE UTAH COUNTY ADMINISTRATION BUILDING**  
**June 9, 2015 - 9:00 A.M.**

**PRESENT:** COMMISSIONER LARRY A. ELLERTSON, CHAIR  
COMMISSIONER WILLIAM C. LEE, VICE-CHAIR  
COMMISSIONER GREG GRAVES

**ALSO PRESENT:**

David Shawcroft, Civil Division Chief Deputy Attorney  
Paul Jones, Utah County Deputy Attorney  
Carl Hollan, Utah County Deputy Attorney  
Bryan E. Thompson, Utah County Clerk/Auditor  
Scott C. Hogensen, Chief Deputy Clerk/Auditor  
Vicky Westergard, Clerk/Auditor's Office - Tax Admin.  
Julie Rollins, Utah County Purchasing Agent  
Lisa K. Nielson, Utah County Commission Office  
Brian Voeks, Utah County Commission Office  
Kris Poulson, Utah County Assessor  
Bryce Armstrong, Community Development  
Peggy Kelsey, Community Development  
Dr. Joseph K. Miner, Health Department Exec. Director  
Bryce C. Larsen, Utah County Health Department  
Andrea Jensen, Utah County Health Department  
Richard Nance, Drug & Alcohol Prevention & Treatment  
Cindy Simon, Drug & Alcohol Prevention & Treatment  
Pat Bird, Drug & Alcohol Prevention & Treatment  
Christy Long, Drug & Alcohol Prevention & Treatment  
Mark Brady, Assistant Personnel Director

Richard Nielson, Utah County Public Works Director  
Jeff Smith, Utah County Recorder  
Andrea Allen, Utah County Recorder's Office  
Yvette Rice, Utah County Sheriff's Office  
Dalene Higgins, Utah County Sheriff's Office  
Mike Forshee, Utah County Sheriff's Office  
Gary Ratcliffe, Utah County Surveyor  
Kim T. Jackson, Utah County Treasurer  
Clark Caras, Benjamin Resident  
Jacky Caras, Benjamin Resident  
Andrew Jackson, Mountainlands Assoc. of Governments  
Collette Russell, Benjamin Resident  
Nyle Russell, Benjamin Resident  
Celeste Steele, Benjamin Resident  
Addi Urmston, Benjamin Resident  
Leslie Urmston, Benjamin Resident  
Merlin Weekes, Utah County Resident  
Grey Turner, -No further information given-  
Cecylia Worthington, -No further information given-  
Mike Stansfield, Fairways Media  
Renée Huggins-Caron, Clerk/Auditor Admin. Assist.

Commissioner Ellertson called the meeting to order at 9:05 A.M. and welcomed those present. The following matters were discussed:

**PRAYER/READING/THOUGHT:** Mike Stansfield, Fairways Media

**PLEDGE OF ALLEGIANCE:** Greg Graves, Utah County Commissioner

**PUBLIC COMMENTS**

Benjamin resident Clark Caras noted the public comments made during the previous Commission meeting on June 2, 2015 regarding open pit mining in the West Mountain area affecting traffic. He stated the gravel pit trucks are still driving at dangerous rates and asked what the next step in the correction process would be. Though the Utah County Sheriff's Office has increased their presence to monitor speeding, Mr. Caras believes the truck drivers are communicating with each other by radio to avoid key areas. He has witnessed five incidents since the last meeting where trucks have run through stop signs in the community. Mr. Caras questioned why the citizens were not given a chance to reject this mining operation which negatively impacts youth recreation and farming; economic development is great unless it is suddenly put upon you.

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Jacky Caras has lived in Benjamin for 56 years, and can no longer open the West-facing windows of her home because of noise from the gravel trucks. The screens in her brand new windows are being knocked from their frames as the trucks rattle down the street. The gravel companies have the right to make a living, but it has caused a huge obstacle for the residents.

Benjamin resident Collette Russell commented on the mining operation traffic during the last Commission meeting on June 2, 2015, and she plans to continue attending the weekly sessions until the situation is resolved. Ms. Russell explained how Benjamin is designed as a farming community, producing beef and vegetables for local grocery stores. Her son was unable to get onto the road with his tractor for ten minutes while waiting for traffic. The semi-trucks are zig-zagging on the roads, and Ms. Russell questions whether they have permission to be there. She is also concerned that Native American artifacts and other geological and historical sites are being disturbed. Ms. Russell reiterated the citizens should have had a voice in the location of the gravel pit, as rural communities are important. Commissioner Graves noted that he is very familiar with Benjamin and its history, as he is related to the Stewart family by marriage.

Leslie Urmston lives on 7300 South in Benjamin. She thanked the Board for beginning their meeting with a prayer and the Pledge of Allegiance. Ms. Urmston's family relocated to Benjamin for the quiet farming community. While Ms. Urmston loves America and appreciates enterprise, she questions whether this location was the only viable option for a gravel pit. Her daughter has been riding horses on the main road since five years old, and it is much more dangerous with these big trucks. Ms. Urmston asked if she could have voted to say she does not want trucks which stink of asphalt and diesel coming down the road, and pointed out that fifty miles per hour is too fast for huge semi-trucks pulling trailers.

Orem resident Merlin Weekes came forward to address the Provo/Orem Bus Rapid Transit project. He collected more than 800 signatures in opposition to the recently passed County Resolution for Subordinated Transportation Sales Tax Revenue Bonds (*April 21, 2015*). Utah County is unnecessarily spending money and will devastate the businesses of merchants on University Avenue. Mr. Weekes stated the petitioners could have collected enough signatures for the referendum on the resolution had they been given three more days. He hopes the Board will take the time to think about the long-term effects of this resolution, as there is a lot of pressure to involve federal money from a government steeped in debt. Mr. Weekes encouraged minimization and setting a conservative example, suggesting the county wait ten or fifteen years until mass transit is truly needed if it even gets to that point before making commitments.

Cecylia Worthington lives on a small side road in Benjamin with a blind spot which can be dangerous for even two passenger vehicles. Her sons raise show animals, and she would not let her 14-year-old to walk down the street recently. That same day, Ms. Worthington saw a gravel truck barrel through the blind spot right where her son would have been walking had she allowed it. She confirmed the truck operators are avoiding Sheriff patrols and continue to run stop signs, posing a great danger to children on their bicycles and teen-aged drivers with less experience on the road. Ms. Worthington is very worried that someone is going to get hurt.

Commissioner Lee mentioned Benjamin residents have been contacting him, and he has spoken with the Utah Department of Transportation (UDOT) about facilitating a public meeting to address this issue. Commissioners Graves and Ellertson agreed such a meeting would be welcome, and Commissioner Graves credited the Public Works Department and the Sheriff's Office for their assistance in the matter. Someone asked from the audience whether the gravel pit operators would be present at this meeting, and the commissioners indicated they would definitely be invited. The Board discussed with members of the audience potential places for a meeting.

Utah County Clerk/Auditor Bryan E. Thompson commented on County Resolution 2015-57 for the issuance of Subordinated Transportation Sales Tax Revenue Bonds. A petition process was started, and came to a conclusion on Friday, June 5, 2015 at 5:00 P.M. Four hundred petition packets were submitted with a total of 14,833 valid signatures. For a successful referendum, 17,885 signatures were needed for the resolution to be placed on the November 2016 General Election. As a result of these numbers, the issue will not be referred to the ballot.

Following public comments, the commissioners moved forward with the agenda as scheduled.

**CONSENT AGENDA**

1. **DECLARE AS SURPLUS A GLOCK MODEL 19, SERIAL NUMBER WCN914, WITH AN ESTIMATED VALUE OF \$330.00 TO BE PRESENTED TO LT. MARK BEALS FOR SERVING THE UTAH COUNTY SHERIFF'S OFFICE AND THE CITIZENS OF UTAH COUNTY**
2. **DECLARE AS SURPLUS A GLOCK MODEL 17, SERIAL NUMBER WBW748, WITH AN ESTIMATED VALUE OF \$330.00 TO BE PRESENTED TO DEP. JODY SCOTT FOR SERVING THE UTAH COUNTY SHERIFF'S OFFICE AND THE CITIZENS OF UTAH COUNTY**
3. **APPROVE AND AUTHORIZE AN AGREEMENT WITH MACHSTEM INTERNATIONAL FOR BOMB RELATED TRAINING**
4. **ABATE PERSONAL PROPERTY ACCOUNTS ATTACHED FOR THE YEARS INDICATED, HAVING BEEN IDENTIFIED AS UNCOLLECTIBLE; THERE ARE NO ASSETS AVAILABLE**
5. **APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION LETTER NO. 20334, DATED JUNE 3, 2015**
6. **ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO THE UTAH COUNTY HEALTH DEPARTMENT**
7. **APPROVE THE MINUTES OF THE MAY 5, 2015 COMMISSION MEETING**

8. **RATIFICATION OF WARRANT REGISTER SUMMARY**

Register No. 610	June 2, 2015	Direct Deposit:22285-22285	Total: \$	865.00
Register No. 611	June 2, 2015	Check Nos. 208105-208110	Total: \$	180.00
Register No. 612	June 2, 2015	Direct Deposit:22286-22289	Total: \$	107,327.58
Register No. 613	June 2, 2015	Check Nos. 208111-208111	Total: \$	631.88
Register No. 614	June 2, 2015	Check Nos. 208112-208120	Total: \$	9,198.00
Register No. 615	June 2, 2015	Direct Deposit:22290-22291	Total: \$	167.13
Register No. 616	June 3, 2015	Purchasing Cards 5211-5213	Total: \$	912.82
Register No. 617	June 3, 2015	Purchasing Cards 5214-5221	Total: \$	4,247.96
Register No. 618	June 3, 2015	Direct Deposit:22292-22300	Total: \$	3,682.65
Register No. 619	June 3, 2015	Check Nos. 208121-208196	Total: \$	72,688.18
Register No. 620	June 3, 2015	Check Nos. 208197-208197	Total: \$	144.13
Register No. 621	June 4, 2015	Check Nos. 208198-208228	Total: \$	257,985.26
Register No. 622	June 5, 2015	Direct Deposit:22301-22329	Total: \$	101,274.52
Register No. 623	June 5, 2015	Wires: 435-437	Total: \$	123.52
Register No. 624	June 5, 2015	Purchasing Cards 5222-5243	Total: \$	20,982.16
Register No. 625	June 5, 2015	Check Nos. 208229-208309	Total: \$	227,551.47
			<b>Total:</b>	<b>\$ 807,962.26</b>

Consent Agenda Item Nos. 1 through 8 were approved as written. Commissioner Ellertson recommended the following Regular Agenda items be moved to Consent:

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1. **ADOPT A RESOLUTION AWARDDING COUNTY PERSONAL PROPERTY AS A GIFT IN RECOGNITION OF MERITORIOUS SERVICE TO UTAH COUNTY FOR LIEUTENANT MARK BEALS**
2. **ADOPT A RESOLUTION AWARDDING COUNTY PERSONAL PROPERTY AS A GIFT IN RECOGNITION OF MERITORIOUS SERVICE TO UTAH COUNTY FOR DEPUTY JODY SCOTT**
3. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH CANON SOLUTIONS AMERICA FOR A KMVL3622 COPIER, SERIAL NO. 1003372, LOCATED IN THE ENVIRONMENTAL HEALTH DEPARTMENT; EXPIRES 7/5/2016**
4. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE ADDENDUM TO SCHEDULE A OF AGREEMENT NO. 2009-343 WITH SKYMAIL INTERNATIONAL, INC. FOR INCREASED POSTAGE RATES**
6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2015-102 WITH THE UTAH DEPARTMENT OF HEALTH FOR UPDATED ASTHMA CONTROL SERVICES**
7. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT OF STANDARD TERMS AND CONDITIONS FOR THE ENVIRONMENTAL HEALTH PROGRAMS WITH THE UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY**
8. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH LE BUS TO TRANSPORT SENIOR VOLUNTEERS TO THE FOSTER GRANDPARENTS NATURAL HISTORY MUSEUM TRIP ON JUNE 17, 2015**
10. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH WESTRING OIL INC. TO PROVIDE MOTOR FUEL TO HELP CLIENTS RECEIVE TREATMENT THROUGH THE ACCESS TO RECOVERY FEDERAL III GRANT**
14. **APPROVE AND AUTHORIZE COMMISSION CHAIR TO EXECUTE AGREEMENT BETWEEN UTAH COUNTY AND ALPINE CITY FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT *(Continued from the May 26 and June 2, 2015 Commission meetings)***
15. **APPROVE AND AUTHORIZE COMMISSION CHAIR TO EXECUTE AGREEMENT BETWEEN UTAH COUNTY AND AMERICAN FORK CITY FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT *(Continued from the May 26 and June 2, 2015 Commission meetings)***
16. **APPROVE AND AUTHORIZE COMMISSION CHAIR TO EXECUTE AGREEMENT BETWEEN UTAH COUNTY AND THE TOWN OF CEDAR FORT FOR A COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT *(Continued from the May 26 and June 2, 2015 Commission meetings)***
18. **APPROVE AND AUTHORIZE COMMISSION CHAIR TO EXECUTE AGREEMENT BETWEEN UTAH COUNTY AND EAGLE MOUNTAIN CITY FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT *(Continued from the May 26 and June 2, 2015 Commission meetings)***

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19. **APPROVE AND AUTHORIZE COMMISSION CHAIR TO EXECUTE AGREEMENT BETWEEN UTAH COUNTY AND THE CITY OF ELKRIDGE FOR A UTAH COUNTY COMMUNITY DEVELOPMENT GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT** *(Continued from the May 26 and June 2, 2015 Commission meetings)*
21. **APPROVE AND AUTHORIZE COMMISSION CHAIR TO EXECUTE AGREEMENT BETWEEN UTAH COUNTY AND THE TOWN OF GOSHEN FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT** *(Continued from the May 26 and June 2, 2015 Commission meetings)*
22. **APPROVE AND AUTHORIZE COMMISSION CHAIR TO EXECUTE AGREEMENT BETWEEN UTAH COUNTY AND LINDON CITY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT** *(Continued from the June 2, 2015 Commission meeting)*
24. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AGREEMENT BETWEEN UTAH COUNTY AND PLEASANT GROVE CITY FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT** *(Continued from the May 26 and June 2, 2015 Commission meetings)*
26. **APPROVE AND AUTHORIZE COMMISSION CHAIR TO EXECUTE AGREEMENT BETWEEN UTAH COUNTY AND SALEM CITY FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT** *(Continued from the May 26 and June 2, 2015 Commission meetings)*
28. **APPROVE AND AUTHORIZE COMMISSION CHAIR TO EXECUTE AGREEMENT BETWEEN UTAH COUNTY AND SARATOGA SPRINGS FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT** *(Continued from the May 26 and June 2, 2015 Commission meetings)*
29. **APPROVE AND AUTHORIZE COMMISSION CHAIR TO EXECUTE AGREEMENT BETWEEN UTAH COUNTY AND SPANISH FORK CITY FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT** *(Continued from the May 26 and June 2, 2015 Commission meetings)*
30. **APPROVE AND AUTHORIZE COMMISSION CHAIR TO EXECUTE AGREEMENT BETWEEN UTAH COUNTY AND SPRINGVILLE CITY FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT GRANT** *(Continued from the May 26 and June 2, 2015 Commission meetings)*

**ACTIONS TAKEN**

**Consent Agenda Item Nos. 1 and 2 were declared as surplus; No. 3 was approved and authorized; No. 4 was abated; Nos. 5 and 7 were approved; No. 6 was adopted; and No. 8 was ratified. Regular Agenda Item Nos. 1 and 2 were adopted; and Nos. 3, 4, 6, 7, 8, 10, 14, 15, 16, 18, 19, 21, 22, 24, 26, 28, 29 and 30 were approved and authorized.**

**AGREEMENT NOS.:** 2015-330, 2015-331, 2015-332, 2015-333, 2015-334, 2015-335, 2015-336, 2015-337, 2015-338, 2015-339, 2015-340, 2015-341, 2015-342, 2015-343, 2015-344, 2015-345, 2015-346, 2015-347, 2015-348, 2015-349, 2015-350, 2015-351 and 2015-352

**RESOLUTION NOS.:** 2015-79, 2015-80, and 2015-81

**REGULAR AGENDA**

5. **APPROVE OR DENY A LATE VETERAN EXEMPTION APPLICATION FOR THOMAS E. WROE, SERIAL NO. 36:783:0005, WITH A FINDING THAT THE FAILURE OF THE CLAIMANT TO TIMELY FILE THE APPLICATION WAS BEYOND THE CLAIMANT'S REASONABLE CONTROL AND TO NOT EXTEND THE DEADLINE WOULD BE AGAINST EQUITY OR GOOD CONSCIENCE**

**Commissioner Graves made the motion to approve the late veteran abatement application for Thomas E. Wroe on Property Serial No. 36:783:0005 as specified in Regular Agenda Item No. 5, with the finding that the failure of the claimant to timely file the application was beyond the claimant's reasonable control and to not extend the deadline would be against equity or good conscience. The motion was seconded by Commissioner Lee and carried with the following vote:**

**AYE: Larry A. Ellertson  
William C. Lee  
Greg Graves  
NAY: None**

APPROVED

9. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE HOUSING AUTHORITY OF UTAH COUNTY TO PROVIDE SUBSTANCE ABUSE TREATMENT TO INDIVIDUALS THROUGH THE CONTINUUM OF CARE HOUSING GRANT**

Cindy Simon of the Utah County Department of Drug and Alcohol Prevention and Treatment came forward to answer Commissioner Ellertson's questions about this memorandum of understanding. Ms. Simon clarified the county contribution would be "in-kind" rather than a dollar amount, and Commissioner Ellertson requested the language be updated to reflect that within the contract.

**Commissioner Lee made the motion to approve the memorandum of understanding with the Housing Authority of Utah County as described in Regular Agenda Item No. 9, with the changes as discussed. The motion was seconded by Commissioner Graves and carried with the following vote:**

**AYE: Larry A. Ellertson  
William C. Lee  
Greg Graves  
NAY: None**

AGREEMENT NO. 2015-353

The commissioners chose to address Regular Agenda Item Nos. 11 and 12 simultaneously as they are directly related.

11. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A COOPERATIVE AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION (UDOT) FOR CORRIDOR PRESERVATION FOR I-15 AT 2700 NORTH SPANISH FORK AND 1600 SOUTH SPRINGVILLE**

AGREEMENT NO. 2015-354

12. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A COOPERATIVE AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION (UDOT) FOR CORRIDOR PRESERVATION FOR SR-73**

AGREEMENT NO. 2015-355

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Commissioner Ellertson noted slight corrections to the wording in these cooperative agreements with the Utah Department of Transportation (UDOT), such as the addresses differing between Spanish Fork and Springville, and paragraph numbering. Utah County Public Works Director Richard Nielson mentioned UDOT is not obligated to reimburse the county if the project is not funded, and Utah County Deputy Attorney Carl Hollan explained the statutory requirement to include phrasing allowing UDOT to purchase the property. When the commissioners asked about this restriction, Mr. Nielson and Mr. Hollan clarified the intent to return monies to the local corridor preservation fund. Mountainland Association of Governments Executive Director Andrew Jackson commented on the positive effect of new laws resulting from Utah House Bill 188.

**Commissioner Graves made the motion to approve cooperative agreements with the Utah Department of Transportation for corridor preservation for I-15 at 2700 North Spanish Fork and 1600 South Springville, and SR-73 as specified, respectively, in Regular Agenda Item Nos. 11 and 12. The motion was seconded by Commissioner Lee and carried with the following vote:**

**AYE: Larry A. Ellertson  
William C. Lee  
Greg Graves  
NAY: None**

The commissioners moved forward with the remaining agenda items as numbered.

**13. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE BLM APPLICATION FOR TRANSPORTATION AND UTILITY SYSTEMS ON FEDERAL LANDS FOR THE SOLDIER PASS SHOOTING RANGE ACCESS ROAD, PROVIDING ACCESS TO THE PROPOSED SOLDIER PASS SHOOTING RANGE**

Utah County Public Works Director Richard Nielson updated the Board on the status of the Soldier Pass Shooting Range, mentioning the Recreation and Public Purposes application filed last year. This additional application is needed for a portion of the road which was not included within the original boundaries.

**Commissioner Lee made the motion to approve the BLM application for Transportation and Utility Systems on Federal Lands for the Solider Pass Shooting Range Access Road as defined in Regular Agenda Item No. 13. The motion was seconded by Commissioner Graves and carried with the following vote:**

**AYE: Larry A. Ellertson  
William C. Lee  
Greg Graves  
NAY: None**

AGREEMENT NO. 2015-356

The commissioners also chose to address Regular Agenda Item Nos. 17, 20, 23, 25, 27, and 31 in tandem, as they are directly related.

**17. APPROVE AND AUTHORIZE COMMISSION CHAIR TO EXECUTE AGREEMENT BETWEEN UTAH COUNTY AND THE CITY OF CEDAR HILLS FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT (Continued from the May 26 and June 2, 2015 Commission meetings)**

AGREEMENT NO. 2015-357

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20. **APPROVE AND AUTHORIZE COMMISSION CHAIR TO EXECUTE AGREEMENT BETWEEN UTAH COUNTY AND THE TOWN OF FAIRFIELD FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT** *(Continued from the May 26 and June 2, 2015 Commission meetings)*

AGREEMENT NO. 2015-358

23. **APPROVE AND AUTHORIZE COMMISSION CHAIR TO EXECUTE AGREEMENT BETWEEN UTAH COUNTY AND OREM CITY FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT** *(Continued from the May 26 and June 2, 2015 Commission meetings)*

AGREEMENT NO. 2015-359

25. **APPROVE AND AUTHORIZE COMMISSION CHAIR TO EXECUTE AGREEMENT BETWEEN UTAH COUNTY AND PROVO CITY FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT** *(Continued from the May 26 and June 2, 2015 Commission meetings)*

AGREEMENT NO. 2015-360

27. **APPROVE AND AUTHORIZE COMMISSION CHAIR TO EXECUTE AGREEMENT BETWEEN UTAH COUNTY AND SANTAQUIN CITY FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION PROJECT** *(Continued from the May 26 and June 2, 2015 Commission meetings)*

AGREEMENT NO. 2015-361

31. **APPROVE AND AUTHORIZE COMMISSION CHAIR TO EXECUTE AGREEMENT BETWEEN UTAH COUNTY AND WOODLAND HILLS CITY FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT** *(Continued from the May 26 and June 2, 2015 Commission meetings)*

AGREEMENT NO. 2015-362

Commissioner Lee expressed an administrative concern for the inconsistencies in accepting grant applications from towns and cities which had submitted paperwork after the deadline of May 1, 2015. He is in favor of assisting the towns and cities but believes it is important to follow the same process for all entities. Commissioner Lee mentioned the failed petition for a referendum on the Provo/Orem Bus Rapid Transit project, stating the petitioners would have likely appreciated the same leniency for extra time to collect signatures.

**Commissioner Lee made the motion to execute Community Activities Grants for Tourism and Recreation Development Projects with Cedar Hills, Fairfield, Orem, Provo, Santaquin, Woodland Hills as outlined, respectively, in Regular Agenda Item Nos. 17, 20, 23, 25, 27 and 31, with the understanding that future processes will be improved to adhere to deadlines. The motion was seconded by Commissioner Graves and carried with the following vote:**

**AYE: Larry A. Ellertson  
William C. Lee  
Greg Graves  
NAY: None**

The commissioners moved forward with the remaining agenda items as numbered.

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**32. ADOPT A RESOLUTION REGARDING LEHI CITY'S NOTICE OF INTENT TO SUBMIT AN OPINION QUESTION TO ITS VOTERS REGARDING THE IMPOSITION OF A "RAP" TAX, CONFIRMING THAT UTAH COUNTY IS NOT SEEKING TO IMPOSE A TAX UNDER SECTION 59-12-1402 (Continued from the June 2, 2015 Commission meeting)**

Commissioner Ellertson summarized that Utah County is currently not planning to impose a Recreation and Parks (RAP) tax, which allows Lehi City to move forward with submitting an opinion question to its voters on the matter. Commissioner Graves noted the resolution specifies a tax will not be imposed during the 2015 calendar year.

**Commissioner Graves made the motion to adopt a resolution regarding Lehi City's Notice of Intent to submit an opinion question to its voters regarding the imposition of a "RAP" Tax as identified in Regular Agenda Item No. 32. The motion was seconded by Commissioner Lee and carried with the following vote:**

**AYE: Larry A. Ellertson  
William C. Lee  
Greg Graves  
NAY: None**

RESOLUTION NO. 2015-82

**33. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MEMORANDUM OF AGREEMENT WITH THE DEPARTMENT OF HERITAGE AND ARTS, UTAH STATE LIBRARY DIVISION FOR BOOKMOBILE SERVICE IN UTAH COUNTY**

Commissioner Ellertson mentioned the Work Session item from the previous week's Commission meeting (June 2, 2015) which led to this action item for Bookmobile services in Utah County. Commissioner Lee summarized the overall cost for Utah County being \$103,000, with Mapleton, Alpine, and Goshen paying portions of that total for service in their areas. Commissioner Lee questioned the lack of financial commitment from Cedar Fort, Cedar Hills, Genola, and Lindon, which will all receive the service without needing to pay for it. When Commissioner Graves asked for the reasoning behind that, Commissioner Lee explained it is travel-based; the Bookmobile performs courtesy stops in areas already along their route which are not necessarily requested by the cities. Commissioner Ellertson agreed with Commissioner Lee that conversations about representation need to take place.

**Commissioner Lee made the motion to approve a Memorandum of Agreement with the Department of Heritage and Arts, Utah State Library Division for Bookmobile Service in Utah County as outlined in Regular Agenda Item No. 33. The motion was seconded by Commissioner Graves and carried with the following vote:**

**AYE: Larry A. Ellertson  
William C. Lee  
Greg Graves  
NAY: None**

AGREEMENT NO. 2015-363

Commissioner Lee took a moment of personal privilege to address the petition against County Resolution 2015-57 related to the Provo/Orem Bus Rapid Transit project. He called the process very enlightening and expressed appreciation for the people who took time to gather signatures and be involved in their government. Commissioner Lee himself knocked on doors to gather signatures; he found it eye-opening that many people did not know about the issue, and estimated approximately ninety percent of those being informed for the first time were opposed to BRT. Commissioner Lee is counting on those same individuals to hold the Board accountable for this decision that has been thirteen years in the making, and hopes to find solutions for everyone.

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Commissioner Graves encouraged the public to stay engaged in their government, and Commissioner Ellertson noted BRT is on track to move forward as part of an ongoing process with the Mountainland Metropolitan Planning Organization.

At this point, the commissioners determined which closed meetings would be necessary to set and which could be stricken from the Regular Agenda.

- 37. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY, WATER RIGHTS, OR WATER SHARES, PREVIOUSLY PUBLICLY NOTICED FOR SALE (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA AND WORK SESSION AGENDA ITEMS) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)**

**Commissioner Lee made the motion to strike Regular Agenda Item No. 37 to set a date, time, and location for a closed meeting for a strategy session to discuss the sale of real property, water rights, or water shares, previously publicly noticed for sale. The motion was seconded by Commissioner Graves and carried with the following vote:**

**AYE: Larry A. Ellertson  
William C. Lee  
Greg Graves  
NAY: None**

STRICKEN

- 34. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL OR INDIVIDUALS (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA AND WORK SESSION AGENDA ITEMS) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)**

**Commissioner Lee made the motion to set a date, time and location for a closed meeting to discuss the character, professional competence, or physical or mental health of an individual or individuals to follow the Regular Agenda and Work Session Agenda items today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Graves and carried with the following vote:**

**AYE: Larry A. Ellertson  
William C. Lee  
Greg Graves  
NAY: None**

SET

- 35. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA AND WORK SESSION AGENDA ITEMS) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)**

**Commissioner Lee made the motion to set a date, time and location for a closed meeting for a strategy session to discuss pending or reasonably imminent litigation to follow the Regular Agenda and Work Session Agenda items today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Graves and carried with the following vote:**

**AYE: Larry A. Ellertson  
William C. Lee  
Greg Graves  
NAY: None**

SET

- 36. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, WATER RIGHTS, OR WATER SHARES (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA AND WORK SESSION AGENDA ITEMS) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)**

**Commissioner Lee made the motion to set a date, time and location for a closed meeting for a strategy session to discuss the purchase, exchange, or lease of real property, water rights, or water shares to follow the Regular Agenda and Work Session Agenda items today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Graves and carried with the following vote:**

**AYE: Larry A. Ellertson  
William C. Lee  
Greg Graves  
NAY: None**

SET

### **WORK SESSION**

NO WORK SESSION ITEMS WERE SUBMITTED

This concluded discussion of all scheduled agenda items, and the meeting recessed at 10:07 A.M. to go into closed sessions. The public meeting reconvened at 11:04 A.M.

**Commissioner Graves made the motion to adjourn the June 9, 2015 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Lee and carried with the following vote:**

**AYE: Larry A. Ellertson  
William C. Lee  
Greg Graves  
NAY: None**

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There being no further business nor public comment, the meeting adjourned at 11:04 A.M. The minutes of the June 9, 2015 Commission meeting were approved as transcribed on July 7, 2015.

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LARRY A. ELLERTSON, Commission Chair

ATTEST:

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BRYAN E. THOMPSON  
Utah County Clerk/Auditor